UNITED STATES DISTRICT COURT		EASTERN DISTRICT OF TEXAS
UNITED STATES OF AMERICA ex rel.	§	
DAVID R. VAVRA and JERRY HYATT,	§	
	§	
Plaintiffs,	§	
	§	
versus	§	CIVIL ACTION NO. 1:04-CV-42
	§	
KELLOGG BROWN & ROOT, INC., BOB	§	
BENNETT, WESCO INTERNATIONAL,	§	
INC., PHIL ELDERS, and PANALPINA,	§	
INC.,	§	
	§	
Defendants.	§	
ORDER		

In accordance with its Notice of Election to Intervene in Part and to Decline to Intervene in Part (#40), the United States has intervened in part of this action and has declined to intervene in part of this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4). Accordingly, the court ORDERS that:

- 1. The United States serve its complaint upon defendants within thirty days;
- 2. As to the part of the action in which the United States has declined to intervene, the parties shall serve all pleadings and motions filed in that part of the action, including supporting memorandum, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in that part of the action upon a showing of good cause at any time;
- 3. All documents or orders in this matter filed prior to the Court's Order of February 24, 2010, shall remain under seal except to the extent previously ordered unsealed;
- 4. All orders of this court shall be sent to the United States; and

5. Should the relators or the defendants propose that the part of the action in which the United States has declined to intervene be dismissed, settled, or otherwise discontinued, the court will solicit the written consent of the United States.

SIGNED at Beaumont, Texas, this 2nd day of July, 2010.

Maria a. Crone

UNITED STATES DISTRICT JUDGE